

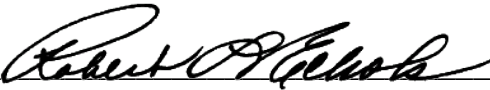
**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
AT NASHVILLE**

Northwood Industrial Machinery, Inc., et al)	No.: 3:07-1263
)	
Plaintiffs)	
v.)	Judge Echols
)	
Robert F. Alsup, Jr.)	Magistrate Judge Brown
)	
Defendant)	

**AGREED ORDER DISMISSING
COUNT II OF THE COMPLAINT**

COME the parties, by and through their counsel, who agree, as evidenced by their respective signatures below, that Count II of the Complaint shall be dismissed because it fails to state a claim upon which relief can be granted

IT IS SO ORDERED this 13th day of March, 2008.



JUDGE

Approved for Entry:

DOBBINS & VENICK

By: /s Irwin Venick
Irwin Venick (BPR #004112)

210 25th Avenue, North, Suite 1010
Nashville, Tennessee 37203
615-321-5659

Counsel for Defendant

s/ William C. Boone
William C. Boone
David Velander #7196
105 S. Sherrin Avenue,
Louisville, Ky. 40207
(502) 896-2301

Of Counsel:

Don L. Smith, #BPR 002637
Smith, Cashion & Orr, PLLC
231 Third Avenue, North
Nashville, Tenn. 37201
615-742-8550

Attorneys for Plaintiffs